AdvanceMe Inc v. RapidPay LLC

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Doc. 157 Att. 10

EXHIBIT J

TO DECLARATION OF MICHAEL N. EDELMAN IN SUPPORT OF ADVANCEME, INC.'S OPPOSITION TO DEFENDANTS' MOTION FOR LEAVE TO AMEND INVALIDITY CONTENTIONS

Gerould, Elaine

Litle, Tim From:

Saturday, July 15, 2006 11:55 AM Sent:

To: David Goldin

RE: Museum Publications of America Subject:

I had forgotten that we did postage financing for these guys. The schedule that was attached seems to be particularly valuable for your case because it clearly shows that the repayments were deducted from daily Net Proceeds. Please note that the Security Agreement (Schedule F-2) was standard in all our Agreements -- even if they did not participate in postage financing.

This document does not contain the signature page where we signed it because you don't have the whole 17 page agreement. The other pages would be the standard Merchant Agreement. I suspect that I signed it for what was then the "Old" Litle & Co.

I can probably locate Bob George who signed this. Bob was the business guy and his partner, Gil Kemp (now estranged -- maybe even before this event), was the merchandising guy. Although Gil might not have had as direct knowledge, I'm strongly suspect that he was aware of the arrangement if they were still partners at that time. I know for sure how to locate Gil because he is a friend of my wife, Joan. He works for the Home Depot Catalog, Home Decorators, which is now a customer of the "new" Litle & Co.

By October 1993, Postage financing was pretty routine -- hence I couldn't remember all the times we did it. Paymentech could probably find more examples but my sense is you've got what you need.

Tim Litle Litle & Co. 900 Chelmsford Street Lowell, MA 01851 Tim@Litle.com 978-275-6520 (o) 978-807-8807 (m)

----Original Message----

From: David Goldin [mailto:dgoldin@amerimerchant.com]

Sent: Friday, July 14, 2006 10:58 PM

To: Litle, Tim

Subject: Museum Publications of America

Tim - as an fyi, Paymentech found another one of your postage financing agreements (see attached) from the Museum Publications of America.

-David

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